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October 18, 2023

REF: 899.701

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VIA ECF

The Honorable Eric R. Komitee
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Schulte v. Warden of MDC, 22-CV-766 (EDNY)*
Status of Representation

Dear Judge Komitee:

My name is Keegan Stephan and I am an attorney with Beldock Levine & Hoffman, LLP. I write in response to the Court's October 18, 2023 Order directing any counsel for Mr. Schulte to enter an appearance forthwith. (10/18/2023 Docket Order.)

Mr. Schulte has retained me to represent him in this matter. I am having some trouble, however, effectuating that representation. I was originally contacted by Mr. Schulte's mother, who, in late October, told me that Mr. Schulte might like me to represent him in this case. On September 1, 2023, I reached out to the Assistant U.S. Attorneys ("AUSAs") handling Mr. Schulte's S.D.N.Y. case to ask what I needed to do in order to speak with Mr. Schulte about possibly representing him. The AUSAs informed me that they needed to modify the Special Administrative Measures ("SAMs") so that I could send Mr. Schulte a non-confidential letter about possible representation. Once I was told that the SAMs had been modified, I sent Mr. Schulte that letter on September 19, 2023.

I just received a response from Mr. Schulte this Monday, October 16, 2023. Also on Monday, I told the S.D.N.Y. AUSAs that Mr. Schulte had retained me to represent him in this matter and asked what I needed to do in order to sign the SAMs and set up a legal call or visit with Mr. Schulte. I received, signed, and returned a copy of the SAMs today, and reached out to the Metropolitan Detention Center to set up a legal visit. I have also spoken with David Cooper, the

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E.D.N.Y. AUSA representing Respondent in this case, who consented to me filing this letter.

At this juncture, I believe it would be prudent for me to wait until I can have confidential communication with Mr. Schulte before entering an appearance and speaking on Mr. Schulte's behalf in this litigation. Without first having that communication, I am not confident that I can make decisions on how this case should proceed that will adequately represent Mr. Schulte's interests.

As soon as I am able to have a legal visit with Mr. Schulte, I will do so. If appropriate, I will then enter an appearance in this case and begin representing Mr. Schulte in the litigation. If the Court would like any additional information that I can provide, I am happy to provide it. And if the Court believes that a different course of action on my part would be appropriate, I would be happy to discuss.

I sincerely thank the Court for its attention to this matter and for the thorough attention and care that the Court has given to this case in general.

Best regards,

A handwritten signature in blue ink, appearing to read 'KS', is written over a horizontal line.

Keegan Stephan, Esq.
Associate

cc: Joshua Schulte, No. 79471-054
Brooklyn MDC
P.O. Box 329002
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